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7 Attorneys for Defendant and Counter-Claimant,  
Professional Collection Consultants  
8

9 UNITED STATES DISTRICT COURT  
10 CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION  
11

12 WESTERN WORLD INSURANCE  
COMPANY,

13 Plaintiff,

14 -vs-

15 PROFESSIONAL COLLECTION  
16 CONSULTANTS,

17 Defendant.  
18

CASE NO.: 2:15-cv-02342 MWF-VBKx

RULE 26 DISCLOSURES BY  
DEFENDANT PROFESSIONAL  
COLLECTION CONSULTANTS;

19 Defendant PROFESSIONAL COLLECTION CONSULTANTS, hereby makes  
20 the following Rule 26a disclosures:

21 Rule 26(a)(1)(A)(i) - the name, address, and telephone number of each  
individual likely to have discoverable information.

22 Todd Shields, 6700 South Centinela Blvd., Third Floor, Culver City, California  
23 90230, (310) 636-1001;

24 Maria Marquez, 6700 South Centinela Blvd., Third Floor, Culver City,  
25 California 90230 (310) 636-1001;

26 Clark Garen, 6700 South Centinela Blvd., Third Floor, Culver City, California  
27 90230 (310) 636-1001;  
28

1 James Riddit, 903 Calle Amanecer, Suite 350, San Clemente, California 92673,  
2 (949) 369-3700;

3 Thomas H. Biernet, 903 Calle Amanecer, Suite 350, San Clemente, California  
4 92673, (949) 369-3700;

5 Debra Duckering

6 Tanya Jones, 6700 South Centinela Blvd., Third Floor, Culver City, California  
7 90230 (310) 636-1001;

8 Rule 26(a)(1)(A)(ii) - A copy of all document, electronically stored information  
9 and tangible things that disclosing party has in its possession, custody, or control and  
10 may use to support its claims and defenses:

11 Professional Collection Consultants is attaching a copy of the entire personnel  
12 files for Hudson, Pole, and McCann.

13 Rule 26(a)(1)(A)(iii) - A computation of each category of damages claimed by  
14 the disclosing party:

15 (1) Attorney fees paid to Wendell Hall's law firm;

16 (2) Loss of opportunity to settle the case at mediation because Plaintiff  
17 blindsided PCC with a denial of coverage on the morning of mediation;

18 (3) Plaintiff is estopped to deny coverage for the claims of Hudson, Pole, and  
19 McCann;

20 4. Plaintiff has mishandled the claims of Hudson, Pole, and McCann and  
21 therefore cannot obtain equitable relief because Plaintiff has un clean hands;

22 5. PCC's expen ses to defend itself in the litigation brought by Hudson, Pole,  
23 and McCann;

24 6. Any judgment PCC may be required to pay for a settlement or a judgment  
25 obtained by Hudson, Pole, or McCann;

26 7. General damages in an amount to be proven at trial.

27 8. PCC's reasonable attorney fees incurred in prosecuting this action in an  
28 amount to be proved at trial.

1 9. For general and compensatory damages including, but not limited to, injuries  
2 resulting from humiliation, mental anguish, and emotional distress;

3 10. For attorney fees incurred in bringing this action pursuant to  
4 *California Insurance Code Section 1619*;

5 11. For attorney fees incurred in obtaining policy benefits, as provided by law;


6 12. For prejudgment interest in an amount to be proved at time of trial;

7 13. For punitive damages in an amount sufficient to deter and make an example  
8 of Plaintiff and Counter-Claim Defendant.

9  
10  
11  
12 Dated: May 27, 2015

13  
14 LAW OFFICES OF CLARK GAREN

15 By

16   
17 /s/ CLARK GAREN  
18 CLARK GAREN,  
19 ATTORNEY FOR DEFENDANT AND  
20 CROSS-COMPLAINANT  
21 PROFESSIONAL COLLECTION  
22 CONSULTANTS  
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PROOF OF SERVICE BY MAIL

STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES ) S.S.

I am employed in the State of California, County of Los Angeles. I am over the age of 18 years and not a party to the within action; my business address is 6700 South Centinela, Third Floor, Culver City, California 90230

On May 27, 2015, I served the foregoing document described as **RULE 26 DISCLOSURES BY DEFENDANT PROFESSIONAL COLLECTION CONSULTANTS, including the complete personnel files described in Rule 26(a)(1)(A)(ii) of the disclosures** on the opposing parties by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid with a Federal Express Courier at Culver City, California addressed as follows:

SELVIN, WRAITH, HALMAN, LLP,  
ATTORNEYS AT LAW,  
505 14<sup>th</sup> STREET,  
SUITE 1200,  
OAKLAND, CALIFORNIA 94612

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

EXECUTED ON May 27, 2015 AT CULVER CITY, CALIFORNIA

  
CLARK GAREN, DECLARANT

April 1, 2014

EDD

Unemployment Office

Re: Beblen Pole SSN 426-19-7986

I am writing to appeal the denial of my unemployment claim. Per the letter I received on 3/26/14 my claim was denied because I "disputed with my supervisor". The accusations my managers Tanya Jones and Joe Perez made are completely exaggerated. The real reason for my termination is because the company is trying to get rid of all the employees they acquired during a recent merger.

I was a Collector for The Best Service Company (TBSC) for over 6 years. During that time I never received any disciplinary actions involving insubordination. In March 2013 the company was sold to Professional Collection Consultants (PCC). During the sale Todd Shields and his attorney interviewed me and they decided to retain me. I could tell immediately that this company did not conduct business as ethically as The Best Service Company. In August 2013 the company was even raided by the FBI.

Tanya Jones was the PCC Collection Manager and my direct supervisor. She never acted like any kind of manager. She would gossip, start rumors and tell everyone's business. During department meetings she would yell and threaten people. The HR manager Lisa (a TBSC employee) even filed a complaint against Tanya.

Working with this company was extremely stressful and unfair. It was clear that there were two sets of rules, one for the PCC employees and one for the TBSC employees. Tanya gave the PCC employees unfair advantages to collect more money and they were allowed to work off the clock. The PCC employees were paid differently and accrued vacation differently and allowed to be short hours and still get their full salary. Because of all the cheating and dishonesty done by Tanya and the PCC collectors the TBSC collectors had a hard time making their goals and were disciplined. I was so stressed out and worried about losing my job all the time because Joe kept telling me I wasn't making enough out-bound calls. Later on we had a department meeting and we were told some of the collectors were falsifying calls to make their stats look better. These were PCC collectors and they were not terminated or disciplined. A collector Tia used to come to work drunk and was never fired. Despite the conditions I continued to be a top collector and always met my performance goals.

On 2/13/14 I printed system-generated letters to send out on my accounts. The assistant manager Joe Perez told me not to send the letters out because the printer failed to print the state notices on the back. Joe put the letters on my desk in my inbox on top of a stack of other notices I had to mail. The following day the office closed early and I did not have a chance to go through my mail. On Monday the 17<sup>th</sup> I came in and started my daily work and stuffed my outbound mail into envelopes. On the 18th I was called into Joe's office and my manager Tanya was in there as well. Joe asked me why I attempted to send the letters he told me not to send. I said immediately "Oh, I'm so sorry Joe I forgot because of the weekend and leaving early on Friday". Joe asked me again why I mailed the letters. I told him again that it was a mistake and that he put the letters in my inbox on top of my other letters. Tanya then said, "Why don't you people ever do what you're told to do"? I was taken aback by what she said, "you people". I think that is inappropriate and took it to mean she was talking about my race. I told them again that I forgot and that's all I can say. Tanya told me not to raise my voice and I told her I wasn't raising my voice. She then told me to go to my desk. I went back and continued to work until I was terminated that afternoon.

As I mentioned before I've spent my entire time with PCC scared of losing my job because of the double standards. I did not and would not raise my voice, yell or be insubordinate because that would surely give them a reason to terminate me. I tried my best to have a good relationship with Tanya. On many occasions I've joked around with Tanya and she has gossiped with me and told me confidential information about other employees. Until the day I was terminated I thought we were close. The way Tanya and Joe described the events in my termination letter are so exaggerated. I apologized for attempting to send the letters; which the system printed wrong and were never mailed. I did not yell or raise my voice and I was not insubordinate.

On February 14<sup>th</sup>, four days before my termination, a PCC collector Tia started a fight with the HR manger Lisa. During that altercation Tia challenged Lisa to a fight; half the office heard. The fight never got physical and was broken up by Joe Perez. After Joe broke up the fight Tia started to argue with Joe as well. Tia was not terminated for picking a fight with a manager but I was fired for supposedly raising my voice (which I didn't even do)! This is a perfect example of the double standards and an obvious attempt to create termination situations.

Over the last few months several of the former TBSC employees have been terminated. Please check the recent claims for Professional Collection Consultants. Please read all of our termination letters. You will see a pattern. All of our termination letters mention violation of the same company policies yet each of our situations is different. They all mention "incompetence" and "sabotage" and "behavior detrimental to the company". One of the terminated employees worked for TBSC for 15 years as the IT Manager. Another lady was a paralegal that worked for TBSC for eight years. And I worked for TBSC for six years as a top-earning collector. How could we all be employed that long if we were "incompetent"?

As I mentioned before, the FBI because of the actions of an employee, raided the company. This employee is still working there!!!! I would think THAT individual had "behavior detrimental to the company".

If Professional Collection Consultants wanted to downsize they should have done it the right way and just laid us off. Instead they make false allegations in order to keep us from getting unemployment. These accusations are now part of our employment record. More importantly these accusations are keeping us from getting unemployment benefits and creating financial hardship. Why are they allowed to do this? How can they get away with this?

I ask that you please look into all the other claims for Professional Collection Consultants and see what this company is doing to us. It is not fair. Please help us get some justice.

Thank you for your assistance,

Beblen Pole

A handwritten signature in black ink that reads "Beblen Pole". The signature is written in a cursive, flowing style.